

REMARKS

Claims 1 and 3-14 are pending in this application. Reconsideration and allowance of this application are respectfully requested.

Information Disclosure Statement

Applicants have provided for the Examiner's consideration copies of EP1067730 and DE19842039 along with English Abstract for DE19842039. Applicants respectfully request the Examiner to initial and sign off on the PTO-1449 indicating that the references have been considered.

The Section 102 Rejections

Claims 1-10 and 13-14 were rejected under 35 U.S.C. §102(e) based on Kim et al. ("Kim"), U.S. Patent 6,438,119. Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Applicants submit that Kim fails to disclose or suggest a method for processing control information in a wireless communication system via a shared control channel that includes encoded signal information for a corresponding data transmission in another channel, comprising, *inter alia*, "in the shared control channel, separately decoding a portion of the encoded signaling information", as recited in claim 1.

Instead, Kim discloses the use of a dedicated control channel (DCCH) to communicate a control signal for a single mobile station to a base station (see Kim's Abstract). In fact, Kim discloses that the DCCH exclusively communicates a control signal to a base station (col. 5, lines 10-12). Kim

further discloses that the DCCH is dedicated for control signal communication with one mobile station at a time, rather than being simultaneously shared among a number of mobile stations (col. 5, lines 13-16).

Moreover, the Applicants are puzzled by the Examiner's assertion that Kim discloses the use of a shared control channel. The Examiner directs the Applicants to column 1, lines 47-52; column 5, lines 9-18; column 6, lines 21-35 and column 10, lines 4-57 of Kim in support of his position. Yet, these passages clearly and repeatedly discuss a "dedicated" control channel, not a shared channel. Applicants have read these passages several times, and cannot locate where Kim teaches the claimed shared control channel.

Because Kim fails to disclose each and every feature of the claimed invention, Kim cannot provide a basis for rejecting the claims under 35 U.S.C. §102. Accordingly, withdrawal of the rejections and allowance of claims 1-10, 13 and 14 is respectfully requested.

The Section 103 Rejections

Claims 11-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kim in view of Lee et al. ("Lee"), U.S. Patent 6,621,873. Applicants respectfully disagree and traverse these rejections for at least the following reasons.

Though the Examiner admits that Kim does not teach or suggest the features of puncturing of bits from [a] portion of the encoded signaling information that is separately decoded [such that the puncturing] is less than

the puncturing of bits from remaining encoded signaling information, as recited in claim 11, and similarly recited in claim 12, he nonetheless relies on Lee to overcome this deficiency.

Initially, Applicants note that Lee does not overcome the deficiencies of Kim as discussed above with respect to claims 1-10 and 13-14. Therefore, for at least the reasons stated above, claims 11 and 12 are not rendered obvious by the combination of Kim and Lee.

Further, Applicants respectfully submit that the combination of the teachings of Lee with the teachings of Kim do not suggest the puncturing of a portion of encoded signaling information such that such puncturing is less than puncturing which is carried out on remaining, encoded signaling information. It appears that Lee is directed at puncturing a signal without regard to whether or not such puncturing may be carried out on a portion of signaling information.

In sum, neither Kim nor Lee discloses or suggests the puncturing of a portion of signaling information as recited in claims 11 and 12.

Accordingly, it is respectfully submitted that the subject matter of claims 11 and 12 would not have been obvious to one of ordinary skill in the art at the time the present application was filed upon reading the disclosures of Kim and Lee because neither of these references disclose or suggest puncturing carried out on only a portion of signaling information.

Accordingly, Applicants respectfully request withdrawal of the pending rejections, and allowance of claims 11 and 12.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number of the undersigned below.

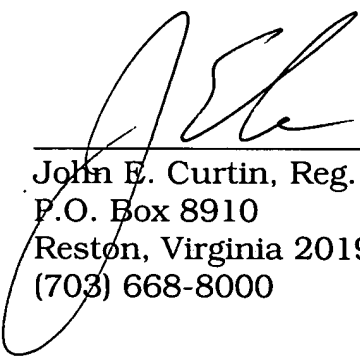
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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